



Paper No. 14

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OFFICE OF PETITIONS

In re Application of :
Pawlak et al. : DECISION ON PETITION
Application No. 09/306,474 :
Filed: May 6, 1999 :
For: Blocking Compositions for :
Immunoassays :

This is a decision on the petition under 37 CFR 1.47(a), filed December 2, 1999.

This is also a decision on the petition under 37 CFR 1.137(b), filed March 31, 2004, to revive the above-identified application.

The petition under 37 CFR 1.47(a) is granted.

The petition under 37 CFR 1.137(b) is granted.

As to the petition under 37 CFR 1.47(a):

Petitioner has shown that Victor Manneh, the non-signing inventor, has refused to join in the filing of the above-identified application after having been presented with the application papers. Specifically, the Declaration of Facts of Timothy H. Gens establishes that the inventor was mailed the application papers, including the specification, claims and drawings, but failed to respond to the request that he sign the declaration.

The above-identified application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status.

As provided in Rule 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the

address given in the present petition. Notice of the filing of this application will also be published in the Official Gazette.

As to the petition under 37 CFR 1.137(b):

This application became abandoned for failure to reply timely to the Notice to File Missing Parts of Application mailed on May 28, 1999, which set a two-month extendable period to respond. Petitioner obtained a four-month extension of time to reply under 37 CFR 1.136(a). Accordingly, this application became abandoned on November 29, 1999. A Notice of Abandonment was mailed on June 22, 2000.

The petitioner has met the requirements to revive the above-identified application pursuant to 37 CFR 1.137(b). Petitioner submitted the required reply, paid the petition fee, and made the proper statement of unintentional delay.

The file is being forwarded to Technology Center 1600.

Telephone inquiries concerning this matter may be directed to the undersigned at (703) 306-5589.

Christina Tartera Donnell

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